

Heber City Council  
Meeting date: August 21, 2015  
Report by: Anthony L. Kohler

### **Re: Millstream RV Park Agreement**

Last year the city approved a zone change from R-3 Residential to C-2 Commercial subject to an agreement with Millstream, the developer of the RV Park. Staff recently has met with Millstream to better understand Millstream's comments on the proposed agreement and how to better draft the agreement to be consistent with approvals and to have clear consistent language throughout the document.

**Format of the agreement.** The previous draft was cumbersome because it had a copy of a road proposal as an exhibit, yet the agreement amended the exhibit with contrasting language. The agreement also addressed property sales that had already closed between adjoining property owners, which is no longer necessary to address. And the agreement had language that conflicted with one of the exhibits regarding facilities along the western edge of the RV Park. The proposed agreement has been modified to address these inconsistencies.

**Planter strip maintenance.** Since Millstream cannot use the road except for emergency purposes, they would like to minimize their maintenance of the planter strip to xeriscape landscaping. They are willing to fully landscape the area if the city takes on the maintenance; and they would be willing to maintain full landscaping of the area if they were provided with the option of full access to the street. Millstream is not proposing to utilize the street for primary access to the property, but would feel more comfortable about maintaining the street landscaping if the option was there for the future. This access would occur only if the use of the property changed from an RV park.

**Fence.** Millstream and the adjoining property owners have discussed the format of the proposed fence. The City's C-2 Design Criteria suggests that part of the screening requirement adjacent residential zones should be an 8 foot fence with landscaping. The agreement regarding the fence has been formatted consistent with Section 105 of the Design Criteria with an 8 foot fence and eliminating details regarding walls or berms.

#### **Section 105 Residential Compatibility**

Commercial lots adjoining residential zoned lots should be bounded with an eight foot (8') sight-obscuring fence of like materials and design of the building façade, and a six foot (6') landscaped area planted with dense evergreen shrubbery and/or evergreen trees along the residential lot lines